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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,773	02/20/2002	Neville Jayaratne	1804	2686

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EXAMINER

SERROU, ABDELALI

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,773

Applicant(s)

JAYARATNE, NEVILLE

Examiner

Abdelali Serrou

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 1,3-5,11 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,6-10,12, and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. In response to the office action from 02/28/2005, the applicant has submitted an amendment, filed on 08/29/2005, canceling claims 1, 3-5, 11, and 14 amending claims 2, 6-10, 12, and 13, and arguing to overcome the references used.

Response to Arguments

2. Applicant's arguments about the original limitations have been fully considered, but are not persuasive, for reasons given next.

3. As per claims 2, 6, 10, and 12, applicant argues that Saindon et al. do not teach a translator that has a dual voice paths operated by one or more sound cards and software, stating that Saindon et al's processor receives a media event and converts it into streaming information in either a MICROSOFT or REAL format through the use of separate encoders. The examiner disagrees and notes that Saindon et al teach a "conference bridge" (column 10, line 37) that receives, translate and replays information from and to a plurality of locations (col. 14, lines 29-32), and receives feedback from users at the same time (col. 4, lines 18-20). Therefore, it is inherent that the system used discloses two sounds paths. Furthermore, Saindon et al.'s processor receives a media event and converts it into streaming information in both MICROSOFT and REAL format through the use of separate encoders (col. 18, line 6).

Applicant argues that Saindon et al. do not teach dual voice paths operated by two sound cards to allow for multilingual conversations. The examiner disagrees and notes that Saindon et

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al. teach dual voice paths operated by two sound cards (as explained above) and a voice receiver (microphone, column 6, line 6), a language translator (Figure 6), and a voice emitter for emitting the voice output (text to speech, column 10, lines 7 - 8) wherein the system performs as a Multilanguage conversation translator (the speech or text can be translated into one or more different languages, column 1, line 53, 54) to allow for multilingual conversations (col. 13, lines 42-67).

Applicant argues that Saindon et al. is limited to separate independent entities each with its single sound card. The examiner respectfully disagrees and notes that the separate sound cards belong to two different encoders, wherein the two encoders belong to the same system, they are just used in different formats (col. 18, lines 1-12).

4. The amended claims 2, 6-10, 12, and 13 are rejected for new reasons given below:

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claims 2, 6, 7, 12, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Saindon et al. (U.S 6, 820, 055 filed on Apr. 26, 2001).

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7. As per claim 2, Saindon et al. teach a voice receiver (microphone, column 6, line 6), a voice-to-text (speech-to-text) converter (Figure 6), a text-to-text spoken language converter for receiving a first language and translating to a second selected language (Language Translator, Figure 6), and a voice emitter for emitting the voice output (text to speech, column 10, line 7, 8) wherein the system performs as a Multilanguage conversation translator (the speech or text can be translated into one or more different languages, column 1, line 53, 54) having dual voice paths operated by two sound cards and software implied by “the processor has a dedicated sound card for each of the encoders”, (column 18, line 9, 10) so that conversation from one person in one spoken word language is translated and received by a second person in a second spoken word language at the same time or substantially at the same time as conversation from the second person in the second spoken word language is translated and received by the first person whereby the two persons can undertake a normal conversation in a normal time but in different spoken languages (col. 12, lines 48-54 and col.13, lines 42-67).

8. As per claim 6, Saindon et al. teach a “conference bridge” (column 10, line 37) that receives, translate and replays information from and to a plurality of locations (the conference bridge may contain one or more devices that allow information from different sources to be received simultaneously or at different times, column 14, lines 29-32), and receives feedback from users at the same time (the method further comprises the step of receiving feedback information from a viewer, column 4, lines 18-20). Therefore, it is inherent that the system used discloses two sounds paths formed by two personal computer sound cards. Furthermore,

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Saindon et al. disclose a processor that has more than one information encoder, and each encoder has a dedicated sound card (column 18, line 10, 11).

9. As per claim 7, in addition to the argument used to reject claim 2, Saindon et al. teach a system “a conference bridge” (column 14, line 36) that is used in “an interactive talk show” (column 14, line 37) wherein multimedia information from the moderator and the participant of the show is transmitted to viewers and viewers can also send their information (audio information) to the show through the conference bridge (column 14 lines 36-44). Therefore it is inherent that the system used discloses at least two voice receivers, two voice to text converters, one text to text spoken language converter, two text to voice converters, and two voice emitters.

10. As per claim 12, Saindon et al. teach a “conference bridge” (column 10, line 37) that receives, translates and replays information from and to a plurality of locations (the conference bridge may contain one or more devices that allow information from different sources to be received simultaneously or at different times, column 14, lines 29-32), and receives feedback from users at the same time (the method further comprises the step of receiving feedback information from a viewer, column 4, lines 18-20). Therefore, it is inherent that the system used discloses either two sound cards or two channels operating separately on a sound card to provide the first and second receivers and first and second emitters. Furthermore, Saindon et al. disclose a processor that has more than one information encoder, and each encoder has a dedicated sound card (column 18, line 10, 11).

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11. As per claim 13, Saindon et al. teach a software control of the sound card/s (media player, col. 19, line 58), and parallel processing techniques as shown in Fig. 1.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saindon et al.

13. As per claim 10, Saindon et al. teach a system “a conference bridge” (column 14, line 36) that is used in “an interactive talk show” (column 14, line 37) wherein multimedia information from the moderator and the participant of the show is transmitted to viewers and viewers can also send their information (audio information) to the show through the conference bridge (column 14 lines 36-44). Therefore the system used necessarily discloses separate sound cards and a switching system for switching between two processing paths at a rate to maintain reasonable real time processing of both paths simultaneously. Otherwise, the system used would not be used in (live call-in comments and questions...talk-show...live event, col. 14, lines 16-44).

Saindon et al. do not explicitly teach having separate sound cards and a switching system for switching between two processing paths at a rate to maintain reasonable real time processing of both paths simultaneously in the same housing.

However, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to design a central system wherein all the components: two sound cards, a switching system, two voice receivers, two voice to text converters, one text to text spoken language converter, two text to voice converters, and two voice emitters within the same housing if both communicating parties are within the same location.

14. As per claims 8, Saindon et al. teach, as mentioned above in claim 10 a system that can establishes a dialogue (takes information message from one part and the feedback from the other part) which means that the lag time between receiving, processing, and emitting information is accomplished in a reasonable amount of time.

15. As per claim 9, Saindon et al. teach a text-to-speech converter (Figure 1) that simulates and emit the voice in the form of phrases such a sentence or a part of a sentence (column 13, lines 13-21).

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelali Serrou whose telephone number is 571-272-7638. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on 571-272-7628. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A. Serrou
02/01/2006


RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER